



PUBLIC NOTICE

File Number: NRS 14.175

Pursuant to Chapter 0400-4-7 of the Department's rules, the proposed activity described below has been submitted for approval under an Aquatic Resource Alteration Permit and §401 Water Quality Certification. This notice is intended to inform interested parties of this permit application and to ask for comments and information necessary to determine possible impacts to water quality. No decision has been made whether to issue or deny this application.

APPLICANT: Michael Allan
Walmart Real Estate Business Trust
2001 SE 10th Street
Bentonville, AR 72716-5570
(479) 204-0108

LOCATION: west of Fergus Road and north of 41-A (Murfreesboro Road), LaVergne, Rutherford County: latitude 36.01234, longitude -86.54634

PROJECT DESCRIPTION: The applicant proposes to construct a 189,543 square foot 24-hour commercial retail shipping facility. The construction shall require the placement of fill in 0.13 acres of wetland and the relocation of a wet-weather conveyance to Finch Branch. Compensatory wetland mitigation shall consist of the purchase of credits at a 2:1 ratio from the Swamp Road Wetland Mitigation Bank in Rutherford County.

DEGRADATION: In accordance with the Tennessee Antidegradation Statement (Rule 0400-40-03-.06), the division has determined that the proposed activities will not result in degradation to water quality.

WATERSHED / WATERBODY DESCRIPTION: The proposed project lies within the Stones River Watershed. More information can be found at <http://www.state.tn.us/environment/water/watersheds/stonesriver.shtml>

Stream Name / ID #:	WWC to Finch Branch
Ecoregion:	71i- inner Nashville Basin
Stream Dimension:	Channel bottom width- varies
	Chanel top width – varies
	Bank height – varies
Substrate:	silt, gravel, bedrock
Designated Use	Use Support
Fish and aquatic life	not assessed
Recreation	not assessed
Irrigation	not assessed

Livestock watering & wildlife not assessed

Wetland Impact: 0.13 acres is an impounded section (due to human induced land disturbances) of a braided conveyance. Canopy consists of cottonwood, black willow, and green ash. The ground cover is primarily barnyard grass, sneezeweed and goldenrod.

PERMIT COORDINATOR: Mike Lee

FACTORS CONSIDERED: In deciding whether to issue or deny a permit, the department will consider all comments of record and the requirements of applicable federal and state laws. In making this decision, a determination will be made regarding the lost value of the resource compared to the value of any proposed mitigation. The department shall consider practicable alternatives to the alteration. The department shall also consider loss of waters or habitat, diminishment in biological diversity, cumulative or secondary impacts to the water resource, and adverse impact to unique, high quality, or impaired waters.

COMMENTING: Persons wishing to comment on the proposal are invited to submit written comments to the department. Written comments must be received within **thirty days of the date that this notice is posted**. Comments will become part of the record and will be considered in the final decision. The applicant's name and permit number should be referenced. Send all written comments to the department's address listed below and to the attention of the permit coordinator.

PUBLIC HEARING: Interested persons may request in writing that the department hold a public hearing on this application. The request must be filed within the comment period, indicate the interest of the person requesting it, the reasons that the hearing is warranted, and the water quality issues being raised. When there is sufficient public interest in water quality issues, the department will hold a public hearing. Send all public hearing request to the department's address listed below and to the attention of the permit coordinator.

APPEAL: A permit appeal may be filed, pursuant to T.C.A. §§ 69-3-105(i) and Rule 0400-40-05, by the permit applicant or by any aggrieved person who participated in the public comment period announced by this notice. This petition must be filed within THIRTY (30) DAYS after public notice of the issuance of the permit. The petition must specify what provisions are being appealed and the basis for the appeal. It should be addressed to the technical secretary of the Tennessee Board of Water Quality, Oil and Gas at the following address: Tisha Calabrese Benton, Director, Division of Water Resources, William R. Snodgrass Tennessee Tower, 312 Rosa L. Parks Ave, 12th floor, Nashville, TN 37243. Any hearing would be in accordance with T.C.A. §§69-3-110 and 4-5-301 et seq.

FILE REVIEW: The permit application, supporting documentation including detailed plans and maps, and related comments are available at the department's address (listed below) for review and/or copying.

Tennessee Department of Environment & Conservation
Division of Water Resources, Natural Resources Unit
William R. Snodgrass Tennessee Tower
312 Rosa L. Parks Avenue, 11th Floor
Nashville, Tennessee 37243







